

1 **TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that on January 14, 2020, or as soon as the matter may be heard
 3 before the Honorable Yvonne Gonzalez Rogers, United States District Judge - Northern District of
 4 California, Ronald V. Dellums Federal Building and United States Courthouse, 1301 Clay Street,
 5 Courtroom 1 - 4th Floor, Oakland, CA 94612, Lead Plaintiff James Fabian ("Plaintiff" or "Fabian"),
 6 by and through his undersigned attorneys, will and hereby does move this Court pursuant to Rules
 7 4(f)(3) and 4(h)(2) of the Federal Rules of Civil Procedure for an order permitting Plaintiff to effect
 8 alternative service on defendants Francesco Firano ("Firano") and B.G. Services, S.R.L. ("BG
 9 Services" and together with Firano, the "BitGrail Defendants"). Specifically, Plaintiff requests an order
 10 permitting him to serve upon the BitGrail Defendants the Summons as to BG Services (ECF No. 19-
 11 5), the Summons as to Firano (ECF No. 19-6), Plaintiff's First Amended Class Action Complaint (ECF
 12 No. 58), the First Scheduling Order issued in this action (ECF No. 18), the Court's Order Setting
 13 Response Deadline and Case Management Conference (ECF No. 67), the Civil Minutes of the
 14 November 18, 2019 Case Management Conference (ECF No. 80), a copy of this Court's Standing
 15 Order in Civil Cases, a copy of the Standing Order for All Judges of the Northern District of California
 16 re: Contents of Joint Case Management Statement, a copy of the sample Standard Stipulated Protective
 17 Order, and a copy of the Consent or Declination to Magistrate Judge Jurisdiction form (collectively,
 18 the "Service Documents") via the following methods, which are reasonably designed to afford the
 19 BitGrail Defendants notice of this action and afford them an opportunity to present their answer and
 20 defenses to the charges against them:

21 1. Mailing of the Service Documents (via First Class International Registered Mail through
 22 the U.S. Postal Service) to:

- 23 • B.G. Services, S.R.L.
 24 Via Roma, 235
 25 50058 Signa FI, Italy;
- 26 • Francesco Firano
 27 Via Roma, 235
 28 50058 Signa FI, Italy;
- The BitGrail Defendants' Bankruptcy Trustees at:
 - Dott. Gian Pietro Castaldi

Via San Niccolò n. 1
50125 – Firenze FI, Italy; and

- Avv. Tommaso Ariani
Via de' Benci n. 24
50122 – Firenze FI, Italy; and
- Francesco Ballati (Firano's attorney in Italy) at:
 - Avv. Francesco Ballati
Studio Legale Ballati
Via Mura Urbane, 30
51100 – Pistoia, Italy.

2. Emailing the Service Documents to:

- The BitGrail Defendants' Bankruptcy Trustees:
 - Dott. Gian Pietro Castaldi at:
studiogpcastaldi@gmail.com; and
 - Avv. Tommaso Ariani at:
tommaso.ariani@basp.it; and
- Francesco Ballati (Firano's attorney in Italy) at:
 - francesco.ballati@studiolegaleballati.it; and
 - francesco.ballati@puntopec.it; and

3. Sending a message containing a hyperlink to an online repository containing the Service Documents to Firano personally via two social media accounts:

- Firano's Twitter account located at:
 - <https://twitter.com/bomberfrancy?lang=en>; and
- Firano's Facebook account located at:
 - <https://www.facebook.com/FrancescoTheBomber>

Plaintiff's request is based on this Motion, the Memorandum of Points and Authorities and declaration filed herewith, all of the pleadings, files, and recordings in this proceeding, all other matters of which this Court may take judicial notice, and any additional argument or evidence that may be presented to or considered by this Court prior to its ruling.

Dated: November 26, 2019

Respectfully submitted,

LEVI & KORSINSKY, LLP

By: /s/ Donald J. Enright

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19 *Attorneys for Lead Plaintiff James Fabian*

CERTIFICATE OF SERVICE

I authorized the electronic filing of Plaintiff's Motion for Leave to Effect Alternative Service, supporting Memorandum of Points and Authorities, and the Declaration of John A. Carriel in Support of Plaintiff's Motion for Leave to Effect Alternative Service with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List maintained by this Court.

Dated: November 26, 2019

/s/Donald J. Enright

Donald J. Enright